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14 *Attorneys for Plaintiffs*

15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 ANIKA OKJE ERDMANN-BROWNING  
18 and JACQUELINE BENITEZ, individually  
19 and on behalf of all others similarly situated,

20 Plaintiffs,

21 v.

22 THOMAS J. VILSACK, Secretary, United  
23 States Department of Agriculture, in his  
24 official capacity; SHALANDA YOUNG,  
25 Director of the United States Office of  
Management and Budget, in her official  
capacity.

26 Defendants.

Case No.: 4:23-cv-04678-JST

27 **DECLARATION OF HILARY HOYNES  
IN SUPPORT OF PLAINTIFFS'  
MOTION FOR PRELIMINARY  
INJUNCTION**

28 CLASS ACTION

Action filed: September 12, 2023

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## DECLARATION OF HILARY HOYNES

I, Hilary Hoynes, hereby declare:

1. I am a Professor of Economics and Public Policy and hold the Haas Distinguished Chair  
2 in Economic Disparities at the University of California, Berkeley. In addition, I am the co-director of  
3 the Berkeley Opportunity Lab, which operates as the central research hub for UC Berkley scholars  
4 researching social and economic inequality in the Unities States. My research for more than 30 years  
5 has focused on poverty, inequality, food and nutrition programs, and the impacts of government tax  
6 and transfer programs on low-income families. I submit this declaration in support of Plaintiffs'  
7 motions for a preliminary injunction and for provisional class certification. If called as a witness, I  
8 could and would competently testify to the following.

2. My research and areas of expertise include the impact of food and nutrition programs,  
3 such as the Supplemental Nutrition Assistance Program ("SNAP"), on low-income families, with a  
4 particular focus on the effects on children. The goal of SNAP (formerly known as Food Stamps) is to  
5 improve nutrition among the low-income population. According to my research, for every dollar (\$1)  
6 the SNAP program costs, the long-run benefits to a child receiving SNAP benefits – increased  
7 benefits and longer life expectancy – are fifty six dollars (\$56).<sup>1</sup> In California, the SNAP program is  
8 known as CalFresh and it is the largest food assistance program in the nation.<sup>2</sup> As of May 2023 around  
9 5.2 million individuals and 3.0 million households received CalFresh.<sup>3</sup>

3. In my opinion, delays in providing SNAP benefits cause low-income households either to  
4 suffer or be at risk of suffering hardships, including:

- 21 • Going hungry;
- 22 • Paying for food at the expense of other necessities of life, or, alternatively, paying for  
23 other necessities of life at the expense of having enough to eat;
- 24 • Children being unable to go to school because they are ill or weak due to hunger; and
- 25 • Children's reduced participation and performance in school, including being at greater  
26 risk for disciplinary actions for acting out, due to hunger.

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<sup>1</sup> Martha Bailey, Hilary Hoynes, Maya Rossin-Slater & Reed Walker, *Is the Social Safety Net a Long-Term Investment? Large Scale Evidence from the Food Stamps Program*, NBER Working Paper 26942, 5.

<sup>2</sup> Public Policy Institute of California , *The CalFresh Food Assistance Program* (September 2020), <https://www.ppic.org/publication/the-calfresh-food-assistance-program/>

<sup>3</sup> <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>

1       A. Qualifications  
23       4. I received my PhD in Economics from Stanford University and my undergraduate degree  
4 in Economics and Mathematics from Colby College.  
56       5. My research is grounded in statistical data and calculated analysis of data sets. I rely on  
7 these data sets to come to conclusions related to implications of programs such as SNAP on child  
8 well-being. Overall, evidence suggests that SNAP's positive effect on alleviating child poverty and  
9 improving nutrition translates into lasting effects on lifelong well-being.<sup>4</sup>  
1011       6. I have been the author or co-author of over 75 articles and chapters in peer reviewed and  
12 academic publications. My publications that focus on SNAP include: Douglas Almond, Hilary  
13 Hoynes, & Diane Whitmore Schanzenbach, *Inside the War on Poverty: The Impact of the Food Stamp*  
14 *Program on Birth Outcomes*, 93(2) Rev. Econ. & Stat. 387-403 (2011); Hilary Hoynes, & Diane  
15 Whitmore Schanzenbach, *Work Incentives and the Food Stamp Program*, 96(1-2) J. Pub. Econ. 151-  
16 162 (2012); Hilary Hoynes, Leslie McGranahan, & Diane Schanzenbach, *SNAP and Food*  
17 *Consumption*, in *SNAP Matters: How Food Stamps Affect Health and Well-Being* 107-133 (Judith  
18 Bartfeld et al. eds., Stanford University Press 2015); Erin Bronchetti, Garret Christensen & Hilary  
19 Hoynes, *Local Food Prices, SNAP Purchasing Power, and Child Health*, 68 J. Health Econ. 2019, at  
20 1-17; and Hilary Hoynes, Diane Whitmore Schanzenbach, & Douglas Almond, *Long-Run Impacts of*  
21 *Childhood Access to the Safety Net*, 106(4) Am. Econ. Rev. 903-934 (2016). Among my other  
22 publications are the following: Hilary Hoynes, *Work, Welfare, and Family Structure: What Have We*  
23 *Learned?* in *Fiscal Policy: Lessons From Economic Research* 101-146 (Alan Auerbach ed. 1997);  
24 Marianne Bitler & Hilary Hoynes, *Welfare Reform and Indirect Impacts on Health* in *Making*  
25 *Americans Healthier: Social and Economic Policy as Health Policy* 231-280 (Robert Schoeni et. al.  
26 eds. 2008); Hilary Hoynes, Marianne Page & Ann Stevens, *Can Targeted Transfers Improve Birth*  
27 *Outcomes? Evidence from the Introduction of the WIC Program*, 95 J. Pub. Econ. 813-827 (2011);  
28 Marianne Bitler, Hilary Hoynes & Elira Kuka, *Child Poverty, the Great Recession, and the Social*  
*Safety Net in the United States*, 36(2) J. Pol'y Analysis & Mgmt. 358-389 (2017); Hilary Hoynes &

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4 Bailey, *Social Safety Net*, *supra*, at 1.

1 Diane Whitmore Schanzenbach, *Safety Net Investments in Children*, 2018 Brookings Papers on Econ.  
 2 Activity. 89-150; *Cyclicalities of the U.S. Safety Net: Evidence from the 2000s and Implications for the*  
 3 *Covid-19 Crisis*, National Tax Journal. 2020 Sep, 73(3):759–780; and Marianne Bitler, Hilary Hoynes  
 4 & Diane Whitmore Schanzenbach, *The Social Safety Net in the Wake of COVID-19*, Brookings Papers  
 5 on Economic Activity. 119-145 (2020); Bailey, Martha, Hilary Hoynes, Maya Rossin-Slater, and  
 6 Reed Walker, *Is the Social Safety Net a Long-Term Investment? Large-Scale Evidence from the Food*  
 7 *Stamps Program*, Forthcoming, Review of Economic Studies; Bitler, Marianne, Hilary Hoynes and  
 8 Diane Schanzenbach, *Suffering, the Safety Net and Disparities during COVID-19* Russell Sage  
 9 Foundation Journal of the Social Sciences, Vol. 9, Issue 3, May 2023.

10 7. I have been asked to give keynotes and lectures on international, national and regional  
 11 levels. In 2016, I presented as an invited speaker on “Why SNAP Matters” to the Conversation on  
 12 Child Hunger at the White House, as a keynote speaker for the Agricultural & Applied Economics  
 13 Association, and as an invited public lecturer for the Stanford Center on Food Security and the  
 14 Environment. In 2018, I was an invited public lecturer on “Safety Net Investments in Children: The  
 15 Evidence on SNAP/CalFresh” at the University of California Center. In October 2020, I was a  
 16 Keynote Speaker for the California Association of Food Banks Conference.

17 8. I am a Member of the Board of Directors for the California Budget and Policy Center and  
 18 for MDRC.

19 9. I am an elected member of the National Academy of Sciences, the American Academy of  
 20 Arts and Sciences, and the National Academy of Social Insurance, and a Fellow of the Society of  
 21 Labor Economists. I am on the editorial board of the American Economic Review: Insights. I  
 22 currently serve on the Committee on National Statistics for the National Academy of Sciences,  
 23 Engineering and Medicine.

24 10. I am an elected officer, Vice President, of the American Economic Association.

25 11. I have served as Co-Editor of the American Economic Review and the American  
 26 Economic Journal: Economic Policy. I have served on the National Academy of Sciences Committee  
 27 on Building an Agenda to Reduce the Number of Children in Poverty by Half in 10 Years, the  
 28 American Economic Association’s Executive Committee, the Federal Commission on Evidence-

1 Based Policy Making, the Advisory Committee for the National Science Foundation, and the National  
 2 Advisory Committee of the Robert Wood Johnson Foundation Scholars in Health Policy Research  
 3 Program.

4 12. I have received the Carolyn Shaw Bell Award from the Committee on the Status of the  
 5 Economics Profession of the American Economic Association.

6 13. Attached to this declaration and Marked as Exhibit A is a true copy of my curriculum  
 7 vitae.

8 B. Observations and opinions

9 14. I have been informed that there is likely to be a nationwide suspension of SNAP benefits  
 10 beginning January 1, 2024, for all households certified to receive those benefits in January.

11 15. My research and writings have focused on the positive outcomes of SNAP on children's  
 12 wellbeing and health from birth to early adulthood. SNAP is critical for ensuring low-income people  
 13 of all ages have access to adequate nutrition, but its benefits to children are especially profound and  
 14 long-lasting. From October 2018 through September 2019, 43% of SNAP participants were children.<sup>5</sup>

15 In addition to children being such a large subset of the population that benefits from SNAP, they are  
 16 also the population that benefits the most when SNAP is available to them. Research has shown that  
 17 in utero and early childhood events have important effects for a range of later life outcomes.<sup>6</sup> Being  
 18 exposed to SNAP before the age of 5 is correlated with the following outcomes: graduating high  
 19 school; attending college; achieving higher earnings; living in better neighborhoods; and living longer.

20 16. The significance of SNAP to children's health begins even before birth. SNAP benefits  
 21 have an impact on newborns.<sup>7</sup> A newborn baby's birth weight is impacted by whether their mother  
 22 had access to SNAP during pregnancy. When a pregnant woman has access to SNAP during the three  
 23 months before giving birth, the baby's birth weight increases, reducing the incidence of low birth  
 24 weights.<sup>8</sup> Infants with low birth weights experience worse health and developmental difficulties in the

25  
 26 <sup>5</sup> Food and Nutrition Services U.S. Department of Agriculture, *Characteristics of SNAP Households: FY 2019* (March 29  
 27 2021), <https://www.fns.usda.gov/snap/characteristics-snap-households-fy-2019>

28 <sup>6</sup> Hillary Hoynes, Diane Whitmore Schanzenbach, & Douglas Almond, *Long-Run Impacts of Childhood Access to the  
 Safety Net*, 106(4) Am. Econ. Rev. 903, 906 (2016).

<sup>7</sup> Douglas Almond, Hilary Hoynes, & Diane Whitmore Schanzenbach, *Inside the War on Poverty: The Impact of the Food  
 Stamp Program on Birth Outcomes*, 93(2) Rev. Econ. & Stat. 387, 402 (2011).

<sup>8</sup> Almond, *Inside the War*, supra, at 387.

1 future.<sup>9</sup> Accordingly, if a pregnant individual is missing out on SNAP benefits because their benefits  
 2 are suspended or their application is not being expedited, the delay directly affects their unborn baby  
 3 and can negatively impact both the baby's birthweight and their long-term health. In addition to the  
 4 positive impact on birth weights, there is a connection between SNAP availability and use and a  
 5 reduction in infant mortality, especially when considering death affected by nutritional deficiencies.<sup>10</sup>

6 17. Lack of access to SNAP during childhood—even for a short period—can negatively  
 7 impact a child's health, even years later and into adulthood. As one example, access to SNAP in utero  
 8 and during early childhood has been proven to significantly reduce the occurrence of metabolic  
 9 syndrome, a cluster of conditions that increase the risk of heart disease, stroke and diabetes.<sup>11</sup> One of  
 10 the main triggers of metabolic syndrome is when there is a lack of nutrients reaching the child during  
 11 the prenatal (in utero) and early postnatal (shortly after birth) periods.<sup>12</sup> When a child does not get  
 12 proper nutrients during that time, their body may trigger a biological mechanism to cope with the lack  
 13 of nutrients.<sup>13</sup> In other words, their body will change the way in which it metabolizes nutrients to help  
 14 them survive. While these adaptations are critical in the moment, they are difficult to reverse even  
 15 when, in the future, the child (or adult) has adequate nutrition. On net, the short-term lack of nutrients  
 16 increases the risk of a long-term metabolic disorder that can result in high blood pressure, diabetes,  
 17 obesity, and cardiovascular disease. Thus, the longer SNAP benefits are suspended or a SNAP  
 18 application is stalled, the greater the risk of long-term impacts to a child in the household.

19 18. In addition to the direct impact on health outcomes, access to SNAP also has an indirect  
 20 impact on health outcomes. In my research, I have analyzed the effects of SNAP purchasing power on  
 21 households with children.<sup>14</sup> Naturally, the effect of SNAP benefits largely varies depending on food  
 22 prices and how far a SNAP benefit can go. For example, an individual with higher SNAP purchasing  
 23 power may receive half the SNAP benefits of some other individual while still getting the same  
 24 amount of food because the food in their area is priced lower. My research has shown that for  
 25 households with higher SNAP purchasing power (i.e. where their SNAP benefits go a longer way),

26 <sup>9</sup> Douglas Almond, Kenneth Chay, & David S. Lee, *The Costs of Low Birth Weight* 120(3) Q. J. Econ. 1031–83 (2005).

27 <sup>10</sup> Almond, *Inside the War*, supra, at 402.

<sup>11</sup> Hoynes, *Long-Run*, supra at 905.

28 <sup>12</sup> *Id.* at 909 (“If nutrients are scarce during the prenatal (or early postnatal) period, the developing body predicts that the future will also be nutritionally deprived.”).

<sup>13</sup> *Id.*

<sup>14</sup> SNAP purchasing power is the real value of SNAP benefits when taking cost of food prices into account.

1 their resources are freed up for other necessities. It stands to reason that this dynamic would equally  
 2 exist for households that do not receive any SNAP benefits, as compared to households that do receive  
 3 then.

4 19. When families can access and use SNAP, it frees up resources to be used for things other  
 5 than obtaining food. Children in households with higher SNAP purchasing power are able to go to the  
 6 doctor, for example. Households with children are able to focus on preventative care when they have  
 7 assistance for their immediate food needs.<sup>15</sup> When immediate SNAP assistance is not available,  
 8 household are less likely to get the preventative care they need.<sup>16</sup> This is extremely crucial, especially  
 9 when in the midst of the pandemic, a time in which food insecurity rates increased almost three times  
 10 over pre-COVID rates.<sup>17</sup> When a child misses routine health care appointments, they can miss  
 11 immunizations running the risk of developing vaccine-preventable diseases.<sup>18</sup> Furthermore, if a child  
 12 does not participate in routine check-ups, providers cannot identify potential physical and/or cognitive  
 13 delays that may require early corrective treatment.<sup>19</sup> The lack of SNAP benefits due to a suspension  
 14 or delay in approval can cause people to go without health care at critical junctures, potentially  
 15 causing more severe illness down the line.

16 20. Lack of access to SNAP negatively impacts children's school attendance. Research has  
 17 shown that there is a "strong negative and robust relationship between SNAP benefits and the number  
 18 of school days children missed due to illness."<sup>20</sup> From the data, there are two factors that likely  
 19 contribute to missing school days due to lower SNAP purchasing power. First, children in these  
 20 households are in worse health due to poor nutrition, leading to absences due to illness. Second, lack  
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23 <sup>15</sup>Erin Bronchetti, Garret Christensen & Hilary Hoynes, *Local Food Prices, SNAP Purchasing Power, and Child Health*,  
 24 68 J. Health Econ. 2019, at 10, 14-16 ("We document that a 10 percent increase in SNAP purchasing power increases the  
 likelihood a child had a check-up in the past year by 8.1 percent and increases the likelihood that children had any doctor's  
 visit in the past 12 months by 3.4 percent.").

25 <sup>16</sup> *Id.* at 7.

26 <sup>17</sup> Marianne Bittler, Hilary Hoynes & Diane Whitmore Schanzenbach, *The Social Safety Net in the Wake of COVID-19*,  
 Brookings Papers on Economic Activity 119-145 (2020).

27 <sup>18</sup> Center for Health Care Strategies, *Covid-19 and the Decline of Well-Child Care: Implications for Childrens, Families,  
 and States* (October 9, 2020), <https://www.chcs.org/resource/covid-19-and-the-decline-of-well-child-care-implications-for-childrens-families-and-states/>

28 <sup>19</sup> *Id.*

<sup>20</sup> Bronchetti, *Local Food Prices*, *supra* at 11, 16 ("For SNAP recipient children, a ten percent increase in SNAP  
 purchasing power is associated with a decrease in missed school days of just over 1 day (or a 22 percent decrease relative  
 to the mean of approximately 5 days missed.").

1 of access to SNAP increases maternal stress, where parents are less able to get children ready and to  
 2 school.<sup>21</sup>

3 21. Even if a child does attend school, missing out on SNAP benefits has been shown to  
 4 create a greater likelihood that the child will be subjected to school disciplinary action. That is  
 5 because of what is termed the “SNAP cycle,” which can impact a child’s behavior. The SNAP cycle  
 6 occurs when a household spends a majority of their SNAP benefits at the start of the benefit month,  
 7 leaving less food at the end of the month. Students from grades 5 through 8 who are in households  
 8 that receive SNAP benefits are more likely to receive a disciplinary infraction towards the end of their  
 9 SNAP month when compared to students who do not receive SNAP and are thus not subject to the  
 10 SNAP cycle.<sup>22</sup> From this it can be surmised that the more a child is food insecure, the more likely  
 11 their behavior will be negatively impacted, and the more likely they are to receive disciplinary  
 12 infractions. Beyond impacting school discipline, variability in nutrition has been linked to poor  
 13 cognitive functioning and lower achievement in test scores.<sup>23</sup>

14 22. The SNAP program can be viewed as an income transfer program instead of just a  
 15 nutrition program.<sup>24</sup> When a family is receiving SNAP benefits, it frees up economic resources so that  
 16 other life necessities such as housing and healthcare can be paid for. A family that no longer has to  
 17 make a decision between paying for food or housing reduces family stress.<sup>25</sup> This enables children to  
 18 perform better at school since they can focus without hunger or family stress distracting them.

19 23. The research finding measurable impacts on children’s health, education, and wellbeing  
 20 from the short-term absence of SNAP suggests that delays in the receipt of SNAP benefits –  
 21 particularly for applicants who are so impoverished that they qualify for expedited service benefits –  
 22 likewise negatively impact children. These negative impacts are especially harmful because  
 23 households eligible for SNAP do not have sufficient other resources to meet their basic needs.

24

<sup>21</sup> Bronchetti, *Local Food Prices*, *supra* at 7.

<sup>22</sup> Anna Gassman-Pines & Laura Bellows, *Food Instability and Academic Achievement: A Quasi-Experiment Using SNAP Benefit Timing*, 55(5) Am. Educ. Res. J. 897-927 (2018).

<sup>23</sup> *Id.* (“Given literature that has linked nutrition as well as family stress with cognitive functioning and achievement test scores, variability in either or both of these is likely to lead to variability in children’s academic achievement throughout the SNAP benefit month.”).

<sup>24</sup> Hoynes, *Long-Run*, *supra* at 904.

<sup>25</sup> Hoynes, *Long-Run*, *supra* at 908.

24. In my professional opinion, the impact of not receiving SNAP benefits in a timely manner causes irreparable harm to children in both the short and long term. Harm to children when SNAP is not readily available takes on many forms as a result of all the family's resources being diverted to putting food on the child: a child stays ill or gets sicker from not having access to medical check-ups; a child becomes ill from lack of sufficient nutrition; a child misses school. Preventing this harm to children is imperative and can be properly addressed when SNAP benefits are provided on time.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on November 1, 2023, in San Francisco, California.

## Autogynes

Hilary Williamson Hoynes